

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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John Rochetti,

Plaintiff,

-against-

New York State Department
of Motor Vehicles, Richmond
District Office,

Defendant.
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02CV1710 (SLT)(LB)

MEMORANDUM
& ORDER

FILED
IN CLERK'S OFFICE
U. S. DISTRICT COURT E.D. N.Y.
★ JUN 13 2005 ★
TIME A.M. _____
P.M. _____

TOWNES, District Judge:

Plaintiff John Rochetti ("Plaintiff" or "Rochetti"), *pro se*, brings the present action against Defendant New York State Department of Motor Vehicles Richmond District Office ("Defendant"), his employer, for alleged discrimination and retaliation in violation of 42 U.S.C. § 2000e et. seq. ("Title VII"). On May 30, 2002, this Court (Gershon, J.) referred the matter to Magistrate Judge Lois Bloom. This Court adopts Judge Bloom's Report and Recommendation in its entirety.

A district court judge may designate a magistrate to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within ten days of service of the recommendation, any party may file written objections to the magistrate's report. See id. Upon de novo review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id.

The Court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are

addressed. See Thomas v. Arn, 474 U.S. 140, 150, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's Order. See 28 U.S.C. § 636(b)(1); Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, Judge Bloom recommended that Defendant's motion for summary judgment should be granted and the action dismissed. Objections to the Report and Recommendation were due by March 28, 2005. No objections were filed with this Court. Upon review of the recommendation, this Court adopts and affirms the Report and Recommendation of Magistrate Judge Bloom.¹

SO ORDERED.

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SANDRA L. TOWNES
UNITED STATES DISTRICT JUDGE

Brooklyn, New York
Dated: June 10, 2005

¹ However, the quotation from Hayes v. New York City Dep't of Corrections, 84 F.3d 614, 619 (2d Cir. 1996) found in Section IV(A) of the opinion cannot be found in that case. The citation should be replaced by Mack v. United States, 814 F.2d 120, 124 (2d Cir. 1987).